

III. REMARKS

Claims 1-22 are pending in this application. By this amendment, claims 1, 6, 14-15 and 17-22 have been amended. The above amendments and the following remarks are provided to facilitate early allowance of the claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the above amendments and following remarks is respectfully requested.

In the Office Action, claim 14 was rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. By this amendment, claim 14 has been amended to address the rejection under 35 U.S.C. §101. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. §101.

In the Office Action, claims 20-22 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter. Based on the amendments made to claims 18-22, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §112, second paragraph.

With respect to the amendment of claims 17 and 19-22, Applicants submit that the revisions are provided merely to correct minor typographical or grammatical errors. As such, Applicants further submit that these revisions do not affect the patentability of the claimed subject matter.

In the Office Action, claims 1-10 and 14-22 are rejected under 35 U.S.C. §102(e) under

Goldberg et al. (USPN 6,496,833); and claims 11-13 were rejected under 35 U.S.C. §103(a) over Goldberg et al. in view of Haikin (USPN 6,449,050). Applicants submit that the pending claims are allowable and thus respectfully request withdrawal of the rejections.

With respect to claims 1, 6, 14-15 and 18, Applicants respectfully submit that Goldberg et al. do not disclose, *inter alia*, “[a] generator dictionary comprising at least one logical generator and at least one physical code generator[,] ... wherein the at least one logical generator calls the at least one physical code generator to generate source code[,]” as recited in claim 1 and claimed similarly in claims 6, 14-15 and 18. Goldberg et al. disclose code generator classes which are arranged in a class hierarchy with subclasses that depend on the implementation language and the underlying DBMS language. Col. 12, lines 14-17. Under Goldberg et al., however, there is no disclosure of at least one logical generator that calls at least one physical code generator to generate source code. Rather, under Goldberg et al., each code generator object “is actually used to generate specific query object source code[.]” Col. 12, lines 10-12. Further, Goldberg et al., fail to disclose a code generator that can call another code generator to generate source code. Specifically, the “class hierarchy” of Goldberg et al. is not based on whether a code generator (logical generator) can call another code generator (logical generator or physical code generator) to generate source code. Col. 12, lines 14-17. In view of the foregoing, Applicants respectfully submit that Goldberg et al. fail to teach each and every feature of the claimed invention. Accordingly, withdrawal of the above-cited rejections is requested.

With further respect to claim 11, Applicants respectfully submit that Goldberg et al. and Haikin, even in combination, do not disclose or suggest each and every claimed feature. The present invention claims, *inter alia*, “modifying said generator dictionary to associate a second

code generator with said generator routine[.]” Goldberg et al. do not disclose or suggest this feature. Haikin discloses that “the code generator can be used to generate code for printer drivers for use with many different operating systems.” Col. 10, lines 12-15. Applicants submits, however, that in Haikin, it is the same code generator that generates code for different operating system “[b]y virtue of allowing a software developer to specify pointers to functions for assessing system sources.” Col. 10, lines 12-13. (Emphasis added). In contrast, under the claimed invention, the method includes “modifying said generator dictionary to associate a second code generator with said generator routine.” It is this second code generator that generates source code for a second deployment environment. Such a feature is neither taught nor suggested by the cited combination of art. Accordingly, Applicants respectfully request withdrawal of the rejection based on 35 U.S.C. §103(a).


In addition to the above amendments and remarks, Applicants submit the combination of Goldberg et al. and Haikin under 35 U.S.C. §103(a) is improper. Specifically, Applicants submit that that there is no motivation or suggestion, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references as suggested by the Examiner. In Goldberg et al., there are different generator subclasses associated with different implementation languages and the underlying DBMS languages (Col. 12, lines 16-17 of Goldberg et al.). As such, under Goldberg et al., there is no need for a software developer to specify pointers to functions for accessing system resources (Col. 10, lines 12-13 of Haikin). This inconsistency is due to the fundamental difference of purpose between the Goldberg et al. system and the Haikin system. In particular, the system of Goldberg et al. is intended for generating a database query object, while the system of Haikin system is intended

for generating a printer driver. It is submitted that generating source code for a database query object with different implementation language is fundamentally different than generating printer driver code for different operating systems. In view of the foregoing, Applicants submit that there is no motivation or suggestion for combining Goldberg et al. with Haikin. Accordingly, Applicants respectfully request withdrawal of the rejections based on 35 U.S.C. §103(a).

Claims 2-5 are dependent upon claim 1, claims 7-10 are dependent upon claim 6, claims 12-13 are dependent upon claim 11, claims 16-17 are dependent upon claim 15 and claims 19-22 are dependent upon claim 18. Applicants submit that these dependent claims are allowable for the same reasons stated above, as well as for their own additional features.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, he is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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